

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION**

IN RE: DEALER MANAGEMENT  
SYSTEMS ANTITRUST LITIGATION

This Document Relates To: ALL CASES

MDL No. 2817  
Case No. 18-cv-00864

Hon. Robert M. Dow, Jr.  
Magistrate Judge Jeffrey T. Gilbert

**MDL PLAINTIFFS' MOTION TO EXCLUDE THE EXPERT TESTIMONY OF  
DANIEL L. RUBINFELD**

MDL Plaintiffs respectfully move this Court to enter an order excluding the opinions and proffered testimony of Professor Daniel L. Rubinfeld, pursuant to Federal Rules of Evidence 402 and 702 and *Daubert v. Merrell Dow Pharmaceuticals, Inc.*, 509 U.S. 579 (1993). In support of this motion, MDL Plaintiffs incorporate by reference the memorandum of law and exhibits filed concurrently herewith and any oral argument that the Court may allow at a hearing on this Motion.

Dated: February 28, 2020

Respectfully submitted,

/s/ Peggy J. Wedgworth

Peggy J. Wedgworth

**MILBERG PHILLIPS GROSSMAN LLP**

One Pennsylvania Plaza, 19th Floor

New York, NY 10119

(212) 594-5300

[pwedgworth@milberg.com](mailto:pwedgworth@milberg.com)

/s/ Derek T. Ho

Derek T. Ho

**KELLOGG, HANSEN, TODD,**

**FIGEL & FREDERICK, P.L.L.C.**

1615 M Street, NW, Suite 400

Washington, D.C. 20036

(202) 326-7900

[dho@kellogghansen.com](mailto:dho@kellogghansen.com)

*MDL Co-Lead Counsel*

**CERTIFICATE OF SERVICE**

I, Derek T. Ho, an attorney, hereby certify that on February 28, 2020 I caused a true and correct copy of the foregoing **MDL PLAINTIFFS' MOTION TO EXCLUDE THE EXPERT TESTIMONY OF DANIEL L. RUBINFELD** to be filed and served electronically via the court's CM/ECF system. Notice of this filing will be sent by e-mail to all parties by operation of the court's electronic filing system or by mail to anyone unable to accept electronic filing as indicated on the Notice of Electronic Filing. Parties may access this filing through the court's CM/ECF system.

/s/ Derek T. Ho

Derek T. Ho  
**KELLOGG, HANSEN, TODD,  
FIGEL & FREDERICK, P.L.L.C.**  
1615 M Street, NW, Suite 400  
Washington, D.C. 20036  
(202) 326-7900  
dho@kellogghansen.com